

Town of North Andover
PLANNING BOARD

John Simons, Chairman
Lynne Rudnicki
Michael Colantoni



David Kellogg
Lora McSherry
Peter Boynton

Meeting Minutes

Tuesday January 20, 2015 @ 7 p.m. @ Town Hall, 120 Main Street, North Andover, MA 01845

Present: J. Simons, M. Colantoni, L. Rudnicki, L. McSherry, D. Kellogg

Absent: Peter Boynton

Staff Present: Jean Enright, Bonnie Wolstromer

J. Simons, Chairman: The Planning Board meeting for Tuesday, January 20, 2015 was called to order at 7 p.m.

BOND RELEASES

120 Campion Road – Scott Sigman: Requests a release of a \$4,000 performance bond.

J. Enright: Provided a brief summary stating the work associated with a Watershed Special Permit issued in December, 2013 (demolition of an existing garage, construction of a 3car garage with living space above) is complete. An as-built plan and a certified engineering letter stating that the project substantially complies to the plan have been submitted. Conservation has reviewed the final project and has released their bond. Release of the Performance Bond and interest is recommended.

MOTION: L. Rudnicki motioned to release the bond with accumulated interest for 120 Campion Road, seconded by D. Kellogg. The vote was 5-0, unanimous in favor.

PUBLIC HEARINGS

CONTINUED: 351 Willow Street South, Bake N' Joy: Applicant proposes to expand a portion of the existing building and expand a portion of the existing parking lot.

J. Enright: The applicant requested a continuance until the February 3, 2015 meeting.

CONTINUED: 1046 Great Pond Road "Rudick Estates": Application for Definitive Subdivision to divide one lot into three lots, relocate one existing home on-site, and remove one structure.

J. Enright: The applicant requested a continuance of the public hearing and an extension for the Definitive Subdivision until February 28, 2015.

J. Simons: Requested a motion to accept a request for an extension for 1046 GPR Rudick Estates to February 28, 2015.

D. Kellogg: What is the reason for the delay?

J. Enright: The applicant is continuing to work on the stormwater drainage issues.

MOTION: L. Rudnicki motioned to accept the request for a Definitive Subdivision Extension for 1046 GPR Rudick Estates until February 28, 2015. John Simons seconded the motion. The vote was 5-0, unanimous in favor of the extension.

DISCUSSION ITEMS

1116 Great Pond Road – Violation

J. Enright: Reviewed locus map, presented photos demonstrating clearing activity, pre-clearing aerial views, stone wall repair area, evidence of loader on the site, and evidence of disturbed ground. The homeowners and their landscaper are currently before the Conservation Commission. The Commission has requested a restoration plan. The plan should include all buffer zones, stone wall repair, permanent wetland markers, and grass proximity to lake.

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Andy Crittenden, AC Landscaping: The majority of the work was removal of debris removal near the lake due to a microburst and past storms. The loader was used for stone wall repair only and asked if he could use it for removing the dead and cut trees.

The Board does not want heavy equipment in the Non-Disturbance area.

A. Crittenden: The large open area between the trees near the lake and home is a field that is only mowed three or four times a year and is not fertilized. The replanting and reseeding involved homeowner's lawn area approx. 400-500 ft. away from the lake. The intent was to beautify the area, clean up lake debris and not to do any harm or damage to the property.

The Board expressed concern that someone that has operated a landscaping business in town for this many years should have known the rules and should not have violated them. The Board requested that Andy continue to work on a Restoration Plan and for J. Enright to work with the Conservation Administrator, Jennifer Hughes, to ensure the plan is adequate and satisfies both the Conservation Department's requirements and the Planning Department's. This plan should be complete within four weeks.

Watershed Protection District: Bylaw Section 4.136 Table 1 and Table 2

J. Enright: Presented a discrepancy between the current Zoning Bylaw for the Watershed Protection District and Article 1 in the 1995 Annual Town Report. This Article established the Conservation Zone and enlarged both the Non-Disturbance Zone and the Non-Discharge Zone. The discrepancy is the distance of 150' from the Annual High Water Mark of Lake Cochichewick in the 1995 Annual Report and the current Bylaw that states this distance on Table 1 as 100'.

The Board requested J. Enright to discuss the matter with Joyce Bradshaw to determine if the 1995 Annual Report correctly reflects what was voted at Town Meeting. If the 150' was what was voted at Town Meeting then J. Bradshaw can determine if this is a clerical error and if an administrative correction can be made. If the current Bylaw reflects how the Article was voted then the correction would need to be placed on the Warrant.

Update New District Overlay Project:

J. Simons asked J. Enright to provide a brief, informal update on the "New Overlay District". Jean reported that a working group met last week. They are currently addressing comments/feedback and plan to meet one more time. Committee has decided to incorporate this area within a sub-section of the Downtown Overlay, rather than to create a new Overlay District.

Letter of Authorization

J. Enright requested the Board sign a Letter of Authorization to allow her to sign; on the Boards behalf, all plans and Decisions to be filed with the Registry of Deeds and Land Court. The Board signed the document.

MINUTES APPROVAL

L. Rudnicki: The meeting minute date needs to be changed from 2014 to 2015.

MOTION: L. Rudnicki made a motion to approve the January 6, 2015 meeting minutes, as amended, seconded by D. Kellogg. The vote was 5-0, unanimous in favor.

ADJOURNMENT

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MOTION: John Simons made a motion to adjourn the meeting, motion seconded by Lora McSherry. The vote was 5-0, unanimous in favor.

Meeting adjourned @ 7:30 p.m.

MEETING MATERIALS: Agenda, Jan. 6 2015 Draft Meeting Minutes, 120 Campion Road As- Built stamped(1/14/2015), 120 Campion. PB compliance letter (1/8/2015), 4 site pictures 120 Campion Road, PB Letter of Authorization(1/13/2015), Request for Continuance 351 Willow St (1/13/2015), 1045 Request for Definitive Subdivision Extension until 2/28/2015, 1046 Request for Continuance of Public Hearing 1/19/2015, 1995 Town Annual Report Watershed Article, 1116 GPR 4 aerial photos, 8 site pictures.